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Rutland County Council

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Meeting:	**CABINET**
Date and Time:	**Tuesday, 27 July 2021 at 10.00 am**
Venue:	**Remote meeting, via Zoom** **https://zoom.us/j/91207213114**
Governance support Officer to contact:	**Joanna Morley 01572 758271** **email: governance@rutland.gov.uk**

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A G E N D A

1) APOLOGIES FOR ABSENCE

2) ANNOUNCEMENTS FROM THE CHAIRMAN AND/OR HEAD OF THE PAID SERVICE

3) DECLARATIONS OF INTEREST

In accordance with the Regulations, Members are required to declare any personal or prejudicial interests they may have and the nature of those interests in respect of items on this Agenda and/or indicate if Section 106 of the Local Government Finance Act 1992 applies to them.

4) RECORD OF DECISIONS

To confirm the Record of Decisions made at the meeting of the Cabinet held on 15 June 2021.

5) ITEMS RAISED BY SCRUTINY

To receive items raised by members of scrutiny which have been submitted to the Leader and Chief Executive.

6) LLR SHARED HEALTH AND CARE RECORD - CHARTER

To receive Report No.103/2021 from the Strategic Director for Adult Services and Health.
(Pages 3 - 10)

7) ANNUAL REPORT ON TREASURY MANAGEMENT AND PRUDENTIAL INDICATORS 202/21

To receive Report No.87/2021 from the Strategic Director for Resources.
(Pages 11 - 30)

8) SEND - APPROVAL OF EXTENSION OF CONTRACT

To receive Report No.99/2021 from the Strategic Director for Children's Services.
(Pages 31 - 36)

9) COVID 19 UPDATE AND APPROACH TO CONTINUED USE OF EMERGENCY POWERS

To receive Report No.102/2021 from the Chief Executive.
(Pages 37 - 40)

10) ANY ITEMS OF URGENT BUSINESS

To receive items of urgent business which have previously been notified to the person presiding.

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MEMBERS OF THE CABINET: Mr O Hemsley - Chairman

Mrs L Stephenson
Mrs K Payne
Mr I Razzell
Mr A Walters
Mr D Wilby

Report No: 103/2021
PUBLIC REPORT

CABINET

27 July 2021

LLR SHARED HEALTH AND CARE RECORD - CHARTER

Report of the Strategic Director for Adult Services and Health

Strategic Aim:	Protecting the vulnerable Customer –focussed services	
Key Decision: No	Forward Plan Reference: FP/110621	
Exempt Information	No	
Cabinet Member(s) Responsible:	Cllr Alan Walters: Portfolio Holder for Health, Wellbeing and Adult Care	
Contact Officer(s):	John M Morley, Director of Adult Social Services	01572 758442 JNMorley@rutland.gov.uk
Ward Councillors	n/a	

DECISION RECOMMENDATIONS
That Cabinet: 1. Notes the beneficial development of a Shared Care Record (SCR) between health and adult social care. 2. Authorises the Director of Adult Services and Health, in discussion with the Portfolio Holder for Health, Wellbeing and Adult Care, to agree with the Integrated Care System (ICS) partners such changes to the Charter as are necessary to limit any unquantified risk to the Council's resources. 3. Approves the Director of Adult Services and Health, in discussion with the Portfolio holder for Health, Wellbeing and Adult Care, signing the charter on behalf of the Council subject to the changes referred to in recommendation 2.

1. PURPOSE OF THE REPORT

1.1 The purpose of this report is: (i) to update Cabinet on progress with the project to deliver integrated health and care services by implementing a Shared Care Record (SCR) for Leicester, Leicestershire and Rutland (LLR), and (ii) to approve a Collaborative Charter which confirms the participation of Rutland County Council as one of the partners in the project.

2 BACKGROUND TO THE SHARED HEALTH AND CARE RECORD AND MAIN CONSIDERATIONS

2.1 Through the NHS's Local Health and Care Record Exemplars (LHCREs) programme, Shared Care Records (SCR) across health and social care began to be implemented in selected regions of England in May 2019, with the intention to roll this out nationally in stages.

2.2 In November 2020, National Health Service England Improvement (NHSEI) published *Integrating care: Next steps to building strong and effective integrated care systems (ICS) across England*. It described the core purpose of an ICS as being to:

- Improve outcomes in population health and healthcare.
- Tackle inequalities in outcomes, experience and access.
- Enhance productivity and value for money.
- Help the NHS support broader social and economic development.

2.3 In November 2020, the Department of Health and Social Care stated that all ICS footprints will put in place a Shared Care Record (SCR). In March 2021, the Secretary of State stated that all local systems will have in place a basic shared record solution by September 2021. This has been reaffirmed by the recently published draft policy paper *Data Saves Lives: reshaping health and social care with data.*

2.4 The aim of the SCR is to enable the safe and secure sharing of an individual's health and care information as they move around different parts of the NHS and social care:

- saving time and money across the health and care system, including reducing information-seeking time, duplication and 'just in case' admission to hospital;
- improving the pace and quality of professional decision-making;
- improving care for individuals; and
- improving patient safety.

2.5 The SCR programme is driving infrastructure across England which will enable information to flow seamlessly between organisations so that, wherever someone lives or has travelled to in England, they will be able to receive fully informed health treatment and social care support.

3 RATIONALE AND IMPLICATIONS FOR THE COUNCIL

3.1 An SCR provides clinical and care staff directly involved in an individual's care with access to the most up to date information about them. It does this by sharing relevant information from the various health and social care systems holding that information. Records are kept strictly confidential and can only be accessed by the appropriate clinical and care staff.

3.2 The main benefit of a SCR, is that practitioners will have a single point of information about a person without having to sign onto multiple organisational systems or to seek information from other professionals by phone or email. This will streamline work processes, reduce bureaucracy, deliver more joined up care and improve care decisions.

3.3 The proposed solution for LLR builds on the existing case management and record keeping systems of constituent partners, rather than imposing investment in a single all-encompassing case management solution for all parties. Each partner will use their own native system, but be able to view information as required from other stakeholders' systems, either from within their own system or alongside it. This model aims to reduce overall costs and disruption to all parties and avoids locking partners into systems that could be more suitable for some than others.

3.4 The LLR project is being led by a central project team with organisational representation from across key stakeholders including primary, secondary, acute and social care.

4 DELIVERY IN PARTNERSHIP

4.1 The SCR project forms a key part of ICS activity and is to be funded from ICS Transformation or NHSX Digital Transformation funds.

4.2 The main stakeholders of the project are LLR Clinical Commissioning Groups, Leicestershire Partnership NHS Trust (LPT), University Hospitals Leicestershire (UHL), Derbyshire Health United, and the Rutland and Leicestershire County Councils and Leicester City Council.

4.3 More formal stakeholder commitment to engage in the project is now being sought. To facilitate this, a brief local Charter has been drafted for sign off by the stakeholders. UHL and LPT have already indicated their sign-up to the Charter. This is attached as an Appendix.

4.4 This local Charter outlines a minimal set of core principles as follows:

a) That LLR ICS is prepared to support the business case and bid made to NHSX to secure year 1 and potentially year 2 funding for this programme of work and make reasonable endeavours to ensure success of this bid, should LLR be required to provide additional commitment support for review purposes.
b) That within the bounds of legal compliance, appropriate information governance and security, and patient/citizen and clinical/practitioner safety, your organisation will commit to sharing the necessary information required to ensure that patient/citizen and clinical/practitioner benefits of an LLR SCR are maximised.
c) That without full financial support from NHSX in initial years and on a revenue basis, the running costs of the LLR SCR will have your organisation's support as an ICS funded system priority.
d) That your organisation (direct or by agreed representation) is prepared to contribute into any governance arrangements constituted in order to deliver the programme successfully.
e) That your organisation within the ICS, subject to discussion and agreement with the programme, will commit resources and prioritise (paid for by the programme where necessary or otherwise) to help deliver the programme successfully.

4.5 For the reasons outlined in this report, Cabinet is asked to note the good intention in developing the charter and support the core principles of the charter. However, Principles c) and e) (above), do potentially provide for an unquantifiable commitment to resources which may lead to either financial risk, misinterpretation or discord between the Council and the ICS partnership. It is recommended therefore that the

Council should signal its intention to support the development of a SCR whilst seeking to clarify the commitment required to sign up to the charter. A central tenet to confirm is that signing the Charter does not commit the Council financially, and that requests for funding would need to pass through appropriate Council governance.

5 CONSULTATION

5.1 The project is a government obligation on national health and social care partners and, as such, consultation is not in scope at this stage.

6 FINANCIAL IMPLICATIONS

6.1 It is not anticipated that in cash terms this will have a direct call upon any single organisation to find money from existing allocations. Rather, the commitment being sought is that the project will remain a key priority of the ICS and potentially be top-sliced from their budget.

6.2 Implementation of the SCR is expected to cost c£5.7 million over a seven year period. The year one figure (2021-22) is £2.081m with a remaining £3.662m over the remaining six years (approximately £610k a year). It is likely that the 2021-22 figure will be supported by a £2.081m capital bid to NHSX, which will pay for the implementation phase, with Leicestershire Partnership NHS Trust hosting the money and the capital charges being a cost to the ICS.

6.3 There is confidence that monies will be available from a recent announcement from NHSX that a Unified Technology Fund will be available to the ICS to invest in SCRs. This was to be announced in June 2021, however it is unknown what a local allocation will be.

6.4 A £1.5m budgetary revenue figure has been set aside by the Clinical Commissioning Groups for this project as a contingency figure in case there is no funding from NHSX in 2021-22.

6.5 We do not believe there are any direct finance implications for RCC budgets, however we are in consultation with the CCG to gain further knowledge on the staffing resource ask.

7 LEGAL AND GOVERNANCE CONSIDERATIONS

7.1 The project will increase the sharing across organisations of sensitive personal data, in support of improved direct care. As part of its own assurance activities, the Council must ensure that the information sharing to be enabled is GDPR and Data Protection Act compliant.

7.2 LLR governance of the project is through the LLR Information Management and Technology (IM&T) Strategy Board.

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7.3 For Rutland, the project has been assessed as high risk, with the potential to reduce to medium risk when some unknowns are resolved. As such, significant decisions will be brought to both SMT and Cabinet and the project will be overseen by the corporate Programme Management Office (PMO).

8 DATA PROTECTION IMPLICATIONS

8.1 This project involves increased sharing of sensitive personal data in support of direct care. A Data Protection Impact Assessment (DPIA) is being completed at the level of the project.

9 EQUALITY IMPACT ASSESSMENT

9.1 An Equality and Human Rights Impact screening assessment will be undertaken in the early stages of the project. It is anticipated that this project would have a neutral to positive impact on communities with protected characteristics. For example, groups who are less able to explain their own health and care circumstances would be better served, including people living with learning disabilities or cognitive impairment, or whose primary language is not English.

10 COMMUNITY SAFETY IMPLICATIONS

10.1 There are no community safety implications of this project, except that it will help to improve care decisions for people in emergency situations.

11 HEALTH AND WELLBEING IMPLICATIONS

11.1 The SCR will have a positive impact on health and wellbeing. It will enhance the quality of direct health and social care services by enabling efficient access to the health and care information needed to support good quality decision-making.

12 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

12.1 The establishment of a Shared Care Record is a national requirement and forms an integral part of the medium-term objectives of the ICS. It will enable care and clinical staff access to real time health and care information across care providers and between different operational systems, leading to swifter and better informed care decisions for the benefit of all patients/service users.

12.2 The informal Charter attached as Appendix A seeks to commit the ICS to prioritising the development of the Shared Care Record, and as such requires support from a range of stakeholders. These include Rutland County Council, Leicestershire County Council and Leicester City Council.

12.3 It is important that the Council remains a committed stakeholder in order to represent the interests of adult social care in the project and to help shape the future approach to information sharing and collaboration.

12.4 However, the Council cannot make an open-ended commitment to provide resources which have not yet been quantified and which could present a risk to the authority's Medium Term Financial Plan position. As such, it is recommended that Cabinet agrees to support the Charter in principle, and asks the Director of Adults and Health to agree a suitable form of words with partners which limits the financial and strategic risk to the Council.

13 BACKGROUND PAPERS

13.1 Integrating care: Next steps to building strong and effective integrated care system across England
https://www.england.nhs.uk/publication/integrating-care-next-steps-to-building-strong-and-effective-integrated-care-systems-across-england/

13.2 Data Saves Lives: reshaping health and social care with data
https://www.gov.uk/government/publications/data-saves-lives-reshaping-health-and-social-care-with-data-draft

13.3 White Paper Integration and innovation: working together to improve health and social care for all
https://www.gov.uk/government/publications/working-together-to-improve-health-and-social-care-for-all/integration-and-innovation-working-together-to-improve-health-and-social-care-for-all-html-version

14 APPENDICES

14.1 APPENDIX A: Leicester, Leicestershire and Rutland Shared Care Record: A Charter for Collaborative Success

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

APPENDIX A:
Leicester, Leicestershire and Rutland Shared Care Record
A Charter for Collaborative Success

Within Leicester, Leicestershire and Rutland (LLR) across health and care we will be creating an ICS level information sharing environment. This will help our health and care services continually improve the treatments we use, ensure that care is tailored to the needs of each individual and can empower people to look after themselves better to make informed choices about their own health and care.

Each ICS in England will look to build on local patient/citizen record keeping solutions already in place to create a more joined up and holistic health and care information capability. The requirement will be for all of our NHS and Social Care organisations to contribute to this ambition in LLR.

To manage this implementation there will need to be a small core team with organisational representation from across primary, secondary, mental health, social care etc. to help progress this programme of work. There will also be organisational project teams. The timescale for having a solution in place is the end of September 2021. This is a ministerial policy statement.

Working together cohesively across the ICS will be a critical to the success of this project and the first real exercise of the LLR ICS working together on a key enabling project which will support future service transformation.

This ‘charter’ sets out a minimal set of core principles that as an executive leader in one of our collective organisations, we are asking you to underwrite to help ensure a successful bid.

These principles are:

1. That LLR ICS is prepared to support the business case and bid made to NHSx to secure year 1 and potentially year 2 funding for this programme of work and make reasonable endeavours to ensure success of this bid, should LLR be required to provide additional commitment support for review purposes.
2. That within the bounds of legal compliance, appropriate information governance and security, patient/citizen and clinical/practitioner safety, your organisation will commit to sharing the necessary information required to ensure that patient/citizen and clinical/practitioner benefits of a LLR Shared Care Record are maximised.
3. That without full financial support from NHSx in initial years and on a revenue basis, the running costs of the LLR Shared Care Record will have your organisations support as an ICS funded system priority.
4. That your organisation (direct or by agreed representation) is prepared to contribute into any governance arrangements constituted in order to deliver the programme successfully.
5. That your organisation within the ICS, subject to discussion and agreement with the programme will commit resources and prioritise (paid for by the programme where necessary or otherwise) to help deliver the programme successfully.

Name …… Signature ……

Position ……..9…….. Date ……

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Report No: 87/2021
PUBLIC REPORT

CABINET

27 July 2021

ANNUAL REPORT ON TREASURY MANAGEMENT AND PRUDENTIAL INDICATORS 2020/21

Report of the Strategic Director for Resources

Strategic Aim:	All	
Key Decision: No	Forward Plan Reference: FP/160621	
Exempt Information	No	
Cabinet Member(s) Responsible:	Cllr Karen Payne, Portfolio Holder for Finance, Governance and Performance, Change and Transformation	
Contact Officer(s):	Saverio Della Rocca, Strategic Director for Resources (s.151 Officer)	01572 758159 sdrocca@rutland.gov.uk
	Andrew Merry, Finance Manager	01572 758152 amerry@rutland.gov.uk
Ward Councillors	N/A	

DECISION RECOMMENDATIONS
That Cabinet: 1. Notes the actual 2020/21 prudential indicators within the report. 2. Notes that the treasury management stewardship for 2020/21 was in compliance with the treasury management strategy.

1 PURPOSE OF THE REPORT

1.1 Report 05/2020 set the Treasury Management Strategy for 2020/21 linked to the Council's Budget, Medium Term Financial Plan and Capital Plans. It is inextricably linked to delivering the Council's aims and objectives.

1.2 This report sets out how the Council has performed against the Strategy.

2 BACKGROUND AND MAIN CONSIDERATIONS

2.1 The Council's annual treasury report in Appendix A includes information on the performance of the treasury management service. The key points to note in year are:

- The Council has invested with institutions as determined by the revised creditworthiness criteria approved by the Section 151 Officer;

- The Council made a return on investment of 0.50% compared to the LIBOR rate of 0.11% (Appendix A, paragraph 2.3.1 refers);

- The Council did not undertake any external borrowing in year and therefore did not breach the operational boundary for borrowing (£28m) (Appendix A, paragraph 3.4.3 refers);

- No external debt was repaid early as there was not a financial business case to do so (Appendix A, paragraph 3.4.3 refers); and

- No commercial Investments were made in 2020/21 as no suitable opportunities were identified.

3 CONSULTATION

3.1 No formal consultation is required.

4 ALTERNATIVE OPTIONS

4.1 This report is for noting there are no alternative options.

5 FINANCIAL IMPLICATIONS

5.1 There are no financial implications arising from this report.

6 LEGAL AND GOVERNANCE CONSIDERATIONS

6.1 The report meets the requirements of both the CIPFA Code of Practice on Treasury Management, the CIPFA Prudential Code for Capital Finance in Local Authorities and the Council's Financial Procedure Rules. The Council is required to comply with both Codes through Regulations issued under the Local Government Act 2003.

6.2 The Council's treasury management activities for 2020/21 were regulated by a variety of professional codes, statutes and guidance (which were updated for 2019/20):

- The Local Government Act 2003 (the Act), which provides the powers to borrow and invest as well as providing controls and limits on this activity;

- The Act permits the Secretary of State to set limits either on the Council or nationally on all local authorities restricting the amount of borrowing which may be undertaken;

- Statutory Instrument (SI) 3146 2003, as amended, develops the controls and powers within the Act;

- The SI requires the Council to undertake any borrowing activity with regard to the CIPFA Prudential Code for Capital Finance in Local Authorities;

- The SI also requires the Council to operate the overall treasury function with regard to the CIPFA Code of Practice for Treasury Management in the Public Services;

- Under the Act MHCLG has issued Investment Guidance to structure and regulate the Council's investment activities; and

- Under Section 238(2) of the Local Government and Public Involvement in Health Act 2007 the Secretary of State has taken powers to issue guidance on accounting practices. Guidance on Minimum Revenue Provision was issued under this section on 8 November 2007.

6.3 The Council's Treasury Management Strategy explains how it intends to comply with the legal framework and this annual report confirms compliance.

7 DATA PROTECTION IMPLICATIONS

7.1 A Data Protection Impact Assessments (DPIA) has not been completed because there are no risks/issues to the rights and freedoms of natural persons.

8 EQUALITY IMPACT ASSESSMENT

8.1 An Equality Impact Assessment (EqIA) has not been completed because there are no service, policy or organisational changes being proposed.

9 COMMUNITY SAFETY IMPLICATIONS

9.1 There are no community safety implications.

10 HEALTH AND WELLBEING IMPLICATIONS

10.1 There are no health and wellbeing implications.

11 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

11.1 The report summarises treasury management performance in the year and meets the requirements set out in section 6.

12 BACKGROUND PAPERS

12.1 Statement of Accounts 2020/21.

13 APPENDICES

13.1 Appendix A - Treasury Management Annual Report

13.2 Appendix B - Link Commentary on 2020/21

13.3 Appendix C - Glossary

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

Appendix A.

TREASURY MANAGEMENT ANNUAL REPORT 2020/21

1 OVERVIEW OF STRATEGY

1.1 What is Treasury Management?

1.1.1 Treasury management is the term used to describe the way a Council manages the cash it needs to meet both its day-to-day running costs and borrowing for capital expenditure. The treasury management function for a Council will make the arrangements to borrow and invest money either over the short or the longer term in order to ensure that it has money available when it needs it.

1.1.2 CIPFA defines treasury management as"…the management of the organisation's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks".

1.2 What framework or rules do we need to follow?

1.2.1 In making arrangements for treasury management, a Council is required to follow CIPFA's Treasury Management Code. The Code aims to help ensure that Councils manage the significant risks associated with the function while also ensuring the Council receives value for money.

1.2.2 The Council approved a Strategy in February 2020 (report 05/2020) which covered;

- borrowing strategy, including capital plans (including prudential indicators);
- a minimum revenue provision (MRP) policy (how residual capital expenditure is charged to revenue over time); and
- the treasury management strategy (strategy guidelines for choosing and placing investments, the principles to be used to determine the maximum periods for which funds can be committed, what specified and non specified investments will be considered how the investments and borrowings are to be organised) including treasury indicators

1.2.3 Councils need to prove that they are complying with the Prudential Code and this is done through a series of prudential indicators that are set locally and approved at the same time as the Council sets its budget for the following year.

2 TREASURY PERFORMANCE

2.1 How much did we have to invest during 2020/21?

2.1.1 The Council receives lots of income from council tax, business rates and

central government. The majority of council tax and business rates payments are received between April and January, with expenditure being fairly static throughout the year.

2.1.2 At any point of time in the year, the Council had between £38m - £54m available to invest. This level of cash is higher than normally funding available because of significant Government funding received for Covid-19 including business grants. The table below shows the level of investments held during the year, the average level of investments during the year was £45.308m.

2019/20 Actual £000	2020/21 Quarter 1 as at 30-Jun-20 £000	2020/21 Quarter 2 as at 30-Sep-20 £000	2020/21 Quarter 3 as at 31-Dec-20 £000	2020/21 Quarter 4 as at 31-Mar-21 £000
41,281	42,030	42,266	46,998	42,813

2.2 Did we achieve our investment objectives? Did we invest in line within approved rules?

2.2.1 Like us as individuals, the Council will invest surplus money in various ways to get a return on balances thus generating extra income. As per our overall objectives, we ensure that these surplus balances are managed in a way to maximise the income potential whilst having regard to security risk.

2.2.2 The Council's investment strategy primary objectives, in order of importance are:

- safeguarding the re-payment of the principal and interest of its investments on time – losing any funds like in the case of Icelandic banks would be very significant in this financial climate;
- adequate liquidity – the Council does not want to run short of money so it cannot pay its bills or does not have money available to make investments in capital expenditure;
- Maximising the investment return – this is clearly important but the Council does not want to maximise returns at the expense of the first two objectives.

2.2.3 All of the Council's investments during the financial year were made with approved institutions within the agreed limits contained within the Treasury Management Strategy 2020/21 (05/2020). These limits are:

- £7m for a maximum of 3 years for institutions within the upper limit of the credit ratings;
- £7m for a maximum of 364 days for institutions within the middle limit of credit ratings; other local authorities and Money Market Funds;

- £1m for a maximum of 6 months those institutions without a credit rating, normally certain Building Societies whose operation does not require a credit rating.

2.2.4 It was reported in the Mid-Year Treasury report (13/2020) that since investments were made, there had been a change to the credit rating of one institution after the Council had invested £1m. The risk of loss was deemed to be minimal. This investment has now been fully repaid.

2.2.5 Following the principles set out in paragraph 2.2.2, the Council made investment returns as shown below:

	Original Estimate 2020/21 £000	**Revised Estimate 2020/21 Q2 £000**	**Actuals 2020/21 £000**
Investment Income	288	218	226
Other Interest Received *	12	29	31
Total	**300**	**247**	**257**

***** The Council also receives interest from sources other than investments. A Housing Association has been recharged £12k for the principal and interest of loans that the Council has made to it, the final payment will be in 2051/52. In 2020/21 the Council has also received a £17k dividend from the administrators of the Heritable bank. This leaves £2k (<1%) outstanding from the original outstanding amount of £1.014m

2.3 How did the Council investments perform?

2.3.1 The Code of Practice on Treasury Management requires the Council to set performance indicators to assess the adequacy of the treasury function over the year. An example of a performance indicator often used for the investment treasury function is internal returns above the 6 month LIBOR rate (the average interbank interest rate at which a selection of banks on the London money market are prepared to lend to one another).

The Council monitored performance against the LIBOR rate during 2020/21 and the results are shown below.

	2019/20	**2020/21 (Q2)**	**2020/21 (Q4)**
RCC Returns (%)	0.95	0.59	0.50
LIBOR (%)	0.73	0.09	0.11

2.3.2 The average rate achieved showed a reduction when compared to the performance from 2019/20; this is the impact of the change in the base rate during March 2020 from 0.75% to 0.10%, as a consequence of the Coronavirus pandemic. There has been no change to the base rate during 2020/21.

2.3.3 The Council outperformed the LIBOR rate due to fixed rate investments placed prior to the base rate reduction that achieved a higher rate of return. For example, 364 day investment traded in February 2020 achieved an interest rate of 1.05%, comparatively an investment traded in January 2021 with the

same maturity achieved an interest rate of 0.30%. It is unlikely the Council will achieve such a favourable rate of return compared to LIBOR in 2021/22 as the base rate remains at 0.10%.

3 PRUDENTIAL (BORROWING AND DEBT) INDICATORS

3.1 Why do we borrow?

3.1.1 Council's borrow to fund capital expenditure or refinance/reschedule existing borrowings e.g. replace one loan with one at a lower rate.

3.1.2 Effectively, the Council works out its capital expenditure plans and then calculates how much it needs to borrow having considered whether it should fund capital expenditure using other options.

3.2 What was our Capital Expenditure and how did we fund it?

3.2.1 The Council's capital expenditure during 2020/21 was £6.508m. The outturn report (66/2021) contains detailed analysis of the capital programme and financing.

3.2.2 The £6.508m was financed as per the table below. The financing need represents an increase in borrowing requirements.

	2019/20 Actual*	**2020/21 Revised Estimate****	**2020/21 Actual*****
	£000	**£000**	**£000**
Capital Expenditure	**4,076**	**8,971**	**6,508**
Financed by:			
Capital Receipts/Developers Contributions	140	242	393
Capital Grants & Contributions	3,521	7,998	6,093
Revenue Contributions	415	44	0
Net financing need for the year	**0**	**687**	**22**

*Audited Statement of Accounts 2019/20
** Revised Estimate per Mid-Year Treasury Report (13/2020)
*** Note 20 - Statement of Accounts 2020/21 (unaudited) and outturn report (66/2021).

3.3 What was the Council's borrowing need (the Capital Financing Requirement)?

3.3.1 Any borrowing in a given year is added to the Council's Capital Financing Requirement. The Council prudentially borrowed £22k in line with the Budget to support the role out of superfast broadband (Digital Rutland). The Council has not taken out any additional loans, instead has borrowed from the cash

reserves see 2.1.2.

3.3.2 The Council's Capital Financing Requirement (CFR) is simply the total capital expenditure which has not yet been paid for from either revenue or capital resources. It is essentially a measure of the Council's underlying borrowing need. The CFR is reduced every year as the Council incurs a 'borrowing charge' in the Revenue Account which reduces it (this is called Minimum Revenue Provision).

3.3.3 The Council's CFR for the year is shown below and represents a key prudential indicator.

	2019/20 Actual* **£000**	**2020/21 Revised Estimate**** **£000**	**2020/21 Actual***** **£000**
CFR – 1 April	**21,245**	**20,631**	**20,631**
Movement in Year - CFR	(614)	73	(592)
CFR – 31 March	**20,631**	**20,704**	**20,039**
Movement in CFR Represented by			
Net financing need for the year (from table at para 3.2.2)	0	687	22
MRP	(614)	(614)	(614)
Voluntary Revenue Provision (VRP)	-	-	-
Movement in CFR	**(614)**	**73**	**(592)**

* Audited Statement of Accounts 2019/20
** Revised Estimate per Mid-Year Treasury Report (13/2020)
*** Note 20 - Statement of Accounts 2020/21 (unaudited) and outturn report (66/2021).

3.4 What is the current level of debt and how might it change?

3.4.1 The Council currently has loans outstanding of £22.436m of which £21.386m are long term loans with the Public Works Loans Board (PWLB). The remainder comprises a Salix Loan of £420k (final instalment due 2021) and a Local Enterprise Partnership loan (LEP) of £630k, which matures in 2023. The Salix and LEP loans are shown in the accounts at concessionary rates with the amount borrowed increasing year on year until the final year where the full value is recognised. Details of the outstanding loans can be found in the table in paragraph 3.4.3.

3.4.2 All PWLB loans have been borrowed on a maturity basis. Interest payments will be made every six months on equal instalments throughout the term of the loan, with the principal being repaid on the maturity date.

3.4.3 The overall debt position is monitored continuously, and advice provided by Link Asset Services to identify opportunities for the repayment or restructuring of debt. No such opportunities were identified as cost effective in the year. Repayment of debt is subject to either a premium or dividend equating to the difference in interest payable for the remainder of the term of the loan and that which could be earned by the lender on a new loan for the same period. The debt position at the 31 March 2021 compared to the previous year is shown in the following table:

	31 March 2020		**31 March 2021**	
	Principal	**Average rate**	**Principal**	**Average rate**
Long Term Debt Public Works Loan Board (all fixed rate debt)	£21.386m	4.83%	£21.386m	4.83%
Local Enterprise Partnership (LEP)	£0.595m*	0.00%	£0.607m*	0.00%
Salix Loan	£0.201m*	0.00%	£0.122m*	0.00%
Total long term debt (all fixed rate debt)	£22.182m		£22.115m	
Operational Boundary	£28.000m		£28.000m	
Capital Financing Requirement	£20.631m		£20.039m	
Over/(under) borrowing	(£1.551m)		(£2.076m)	
Total investments	(£41.281m)	0.95%	(£42.813m)	0.50%
Net borrowing position	**(£19.099m)**		**(£20.698m)**	
***** The Council has not increased its LEP loan but the actual loan (£630k over 10 years) is shown in the accounts at a concessionary rate which increases year on year until the final year where the full value is recognised. The Salix (£420k over 5 Years) is also shown in the accounts at a concessionary rate until the final year where the full value is recognised, this loan is repaid in instalments and not on maturity.				

3.5 What borrowing limits did we set and how did we comply?

3.5.1 The Council cannot simply borrow indefinitely.There are a number of prudential indicators to ensure the Council operates its activities within well-defined limits. The indicators focus on two key aspects:

- Setting limits to control borrowing; and
- Assessing the affordability of the capital investment plans.

3.5.2 In addition, we also set limits on interest rate exposure.

3.5.3 Controlling borrowing prudential indicators

3.5.4 The Council needs to ensure that its gross debt does not, except in the short term, exceed the total of the CFR in the preceding year plus the estimates of any additional CFR for 2020/21 and the following two financial years. This indicator is important as it effectively measures whether your actual external debt exceeds your need to borrow. If it does, then it could suggest that Councils have been borrowing when they do not need to do so or for inappropriate purposes. It could also mean that the Council has made a reduction to its CFR by undertaking VRP. This is the case for the Council, with additional VRP's being made in 2013/14 for £1.414m and 2015/16 £0.597m.

3.5.5 The table below shows that the Council has complied with this indicator for 2020/21.

	2020/21 Actual £000	**2021/22 Estimate £000**	**2022/23 Estimate £000**	**2023/24 Estimate £000**
Gross Debt	22,436	27,436	27,436	27,436
Capital Financing Requirement (CFR)	20,039	29,423	28,536	27,649
Under / (Over) borrowing	**(2,397)**	**1,987**	**1,100**	**1,263**

3.5.6 In 2020/21, the Council was in an "overborrowed" position, which can be explained as follows:

- The position did not materialise from borrowing for revenue purposes, which this indicator is a key test of. Since 2008 when the Council borrowed £4m PWLB for the by-pass, the Council has taken only two loans i) an interest free loan from the Local Enterprise Partnership to contribute to the purchase and renovation of Oakham Enterprise Park (£630k); and ii) a Salix loan at 0% for Street Lighting upgrades (£420k). This borrowing is for capital purposes and not to fund revenue.

- The Council has also made voluntary contributions to reduce its CFR as a means of reducing the capital financing charge on the revenue account. In 2013/14 the application of unused Capital Receipts was used to reduce the CFR by £1.4m and in 2015/16 to repay the advance borrowing in relation to Adult Soccer a reduction of £597k. If the Council had not done this, the CFR would be £2m higher and the revenue account would receive a higher capital financing charge.

3.5.7 Ideally, to reduce interest costs, the Council would have preferred to use capital receipts etc to repay external debt. However, there has not been a viable business case to do so. The Council would have to pay a premium to repay early, which would cost the Council in the long term more than repaying in line with the current loan on maturity.

3.5.8 A further key prudential indicator represents a control on the maximum level of borrowing. The Council approved the Authorised Limit of £33m. This represents a limit beyond which external borrowing is prohibited, and this limit needs to be set or revised by the full Council. It reflects the level of external borrowing which, while not desired, could be afforded in the short term, but is not sustainable in the longer term

3.5.9 The table in paragraph 3.4.3 shows that Council did not breach this limit for 2020/21.

3.5.10 An additional indicator is the Operational Boundary – this is the maximum amount of money a Council expects to borrow during the year. This is lower than the Authorised Limit and acts as a useful warning sign if it is breached during the year, which could mean that underlying spending may be higher or income lower than budgeted. The Council approved an Operational Boundary of £28m within the 2020/21 Treasury Strategy. The table in paragraph 3.4.3 shows that Council did not breach this limit for 2020/21.

3.5.11 <u>Affordability Prudential Indicators</u>

3.5.12 The previous section covered the overall capital and control of borrowing prudential indicators, but within this framework prudential indicators are required to assess the affordability of the capital investment plans. These provide an indication of the impact of the capital investment plans on the Council's overall finances.

3.5.13 One of the key affordability indicators is the ratio of financing costs to net revenue stream. This indicator helps a Council identify if borrowing costs become too high as a proportion of its budget. This is important as borrowing costs always have to be paid and are very hard to cut if resources fall.

	Budgeted £000	**Actual £000**	
Capital Financing Costs	1,798	1,647	
Interest Receivable	(0,180)	(0,256)	
	1,618	1,391	A
Revenue Stream			
Government Grants	3,210	5,613	
Retained Business Rates	5,732	5,477	
Council Tax	27,756	27,756	
	36,698	38,846	B
Ratio (A divided by B as a percentage)	4.41%	3.58%	

3.5.14 The table above shows that the Council complied with this indicator. The net financing costs (A) were lower than budgeted, due to the additional interest earned on investments and the Revenue Stream (B) being higher due to additional income from government grants.

Appendix B: Link Asset Services Commentary on The Economy and Interest Rates

1 UK.

1.1 **Coronavirus.** The financial year 2020/21 will go down in history as being the year of the pandemic. The first national lockdown in late March 2020 did huge damage to an economy that was unprepared for such an eventuality. This caused an economic downturn that exceeded the one caused by the financial crisis of 2008/09. A short second lockdown in November did relatively little damage but by the time of the third lockdown in January 2021, businesses and individuals had become more resilient in adapting to working in new ways during a three month lockdown so much less damage than was caused than in the first one. The advent of vaccines starting in November 2020, were a game changer. The way in which the UK and US have led the world in implementing a fast programme of vaccination which promises to lead to a return to something approaching normal life during the second half of 2021, has been instrumental in speeding economic recovery and the reopening of the economy. In addition, the household saving rate has been exceptionally high since the first lockdown in March 2020 and so there is plenty of pent-up demand and purchasing power stored up for services in the still-depressed sectors like restaurants, travel and hotels as soon as they reopen. It is therefore expected that the UK economy could recover its pre-pandemic level of economic activity during quarter 1 of 2022.

1.2 Both the Government and the Bank of England took rapid action in March 2020 at the height of the crisis to provide support to financial markets to ensure their proper functioning, and to support the economy and to protect jobs. The Monetary Policy Committee cut Bank Rate from 0.75% to 0.25% and then to 0.10% in March 2020 and embarked on a £200bn programme of quantitative easing QE (purchase of gilts so as to reduce borrowing costs throughout the economy by lowering gilt yields). The MPC increased then QE by £100bn in June and by £150bn in November to a total of £895bn. While Bank Rate remained unchanged for the rest of the year, financial markets were concerned that the MPC could cut Bank Rate to a negative rate; this was firmly discounted at the February 2021 MPC meeting when it was established that commercial banks would be unable to implement negative rates for at least six months – by which time the economy was expected to be making a strong recovery and negative rates would no longer be needed.

1.3 Average inflation targeting. This was the major change adopted by the Bank of England in terms of implementing its inflation target of 2%. The key addition to the Bank's forward guidance in August was a new phrase in the policy statement, namely that "it does not intend to tighten monetary policy until there is clear evidence that significant progress is being made in eliminating spare capacity and achieving the 2% target sustainably". That seems designed to say, in effect, that even if inflation rises to 2% in a couple of years' time, do not expect any action from the MPC to raise Bank Rate – until they can clearly see that level of inflation is going to be persistently above target if it takes no action to raise Bank Rate. This sets a high bar for raising Bank Rate and no increase is expected by March 2024, and possibly for as long as five years. Inflation has been well under 2% during 2020/21; it is expected to briefly peak

at just over 2% towards the end of 2021, but this is a temporary short lived factor and so not a concern to the MPC.

1.4 **Government support.** The Chancellor has implemented repeated rounds of support to businesses by way of cheap loans and other measures, and has protected jobs by paying for workers to be placed on furlough. This support has come at a huge cost in terms of the Government's budget deficit ballooning in 20/21 and 21/22 so that the Debt to GDP ratio reaches around 100%. The Budget on 3rd March 2021 increased fiscal support to the economy and employment during 2021 and 2022 followed by substantial tax rises in the following three years to help to pay the cost for the pandemic. This will help further to strengthen the economic recovery from the pandemic and to return the government's finances to a balanced budget on a current expenditure and income basis in 2025/26. This will stop the Debt to GDP ratio rising further from 100%. An area of concern, though, is that the government's debt is now twice as sensitive to interest rate rises as before the pandemic due to QE operations substituting fixed long-term debt for floating rate debt; there is, therefore, much incentive for the Government to promote Bank Rate staying low e.g. by using fiscal policy in conjunction with the monetary policy action by the Bank of England to keep inflation from rising too high, and / or by amending the Bank's policy mandate to allow for a higher target for inflation.

1.5 **BREXIT.** The final agreement on 24th December 2020 eliminated a significant downside risk for the UK economy. The initial agreement only covered trade so there is further work to be done on the services sector where temporary equivalence has been granted in both directions between the UK and EU; that now needs to be formalised on a permanent basis. There was much disruption to trade in January as form filling has proved to be a formidable barrier to trade. This appears to have eased somewhat since then but is an area that needs further work to ease difficulties, which are still acute in some areas.

2 USA

2.1 The US economy did not suffer as much damage as the UK economy due to the pandemic. The Democrats passed a $1.9trn (8.8% of GDP) stimulus package in March on top of the $900bn fiscal stimulus deal passed by Congress in late December. These, together with the vaccine rollout proceeding swiftly to hit the target of giving a first jab to over half of the population within the President's first 100 days, will promote a rapid easing of restrictions and strong economic recovery during 2021. The Democrats are also planning to pass a $2trn fiscal stimulus package aimed at renewing infrastructure over the next decade. Although this package is longer-term, if passed, it would also help economic recovery in the near-term.

2.2 It is to be noted that inflation has actually been under-shooting the 2% target significantly for most of the last decade, (and this year), so financial markets took note that higher levels of inflation are likely to be in the pipeline; long-term bond yields duly rose after the meeting in mid-September. However, financial markets in 2021 have been concerned that the sheer amount of fiscal stimulus, on top of highly accommodative monetary policy, could be over-kill leading to a rapid elimination of spare capacity in the economy and generating

higher inflation much quicker than the Fed expects. They have also been concerned as to how and when the Fed will eventually wind down its programme of monthly QE purchases of treasuries. These concerns have pushed treasury yields sharply up in the US in 2021 and is likely to have also exerted some upward pressure on gilt yields in the UK.

3 EU

3.1 Both the roll out and take up of vaccines has been disappointingly slow in the EU in 2021, at a time when many countries are experiencing a sharp rise in cases which are threatening to overwhelm hospitals in some major countries; this has led to renewed severe restrictions or lockdowns during March. This will inevitably put back economic recovery after the economy had staged a rapid rebound from the first lockdowns in Q3 of 2020 but contracted slightly in Q4 to end 2020 only 4.9% below its pre-pandemic level. Recovery will now be delayed until Q3 of 2021 and a return to pre-pandemic levels is expected in the second half of 2022.

3.2 Inflation was well under 2% during 2020/21. The ECB did not cut its main rate of -0.5% further into negative territory during 2020/21. It embarked on a major expansion of its QE operations (PEPP) in March 2020 and added further to that in its December 2020 meeting when it also greatly expanded its programme of providing cheap loans to banks. The total PEPP scheme of €1,850bn is providing protection to the sovereign bond yields of weaker countries like Italy. There is, therefore, unlikely to be a euro crisis while the ECB is able to maintain this level of support.

4 CHINA

4.1 After a concerted effort to get on top of the virus outbreak in Q1 of 2020, economic recovery was strong in the rest of the year; this has enabled China to recover all of the contraction in Q1. Policy makers have both quashed the virus and implemented a programme of monetary and fiscal support that has been particularly effective at stimulating short-term growth.

5 JAPAN

5.1 Three rounds of government fiscal support in 2020 together with Japan's relative success in containing the virus without draconian measures so far, and the roll out of vaccines gathering momentum in 2021, should help to ensure a strong recovery in 2021 and to get back to pre-virus levels by Q3.

6 WORLD GROWTH

6.1 World growth was in recession in 2020. Inflation is unlikely to be a problem in most countries for some years due to the creation of excess production capacity and depressed demand caused by the coronavirus crisis.

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Appendix C: Treasury Management Glossary of Terms

Authorised Limit (Also known as the Affordable Limit): A statutory limit that sets the maximum level of external borrowing on a gross basis (i.e. not net of investments) for the Council. It is measured on a daily basis against all external borrowing items on the Balance Sheet (i.e. long and short term borrowing, overdrawn bank balances and long term liabilities).
Balances and Reserves: Accumulated sums that are maintained either earmarked for specific future costs or commitments or generally held to meet unforeseen or emergency expenditure.
Bank Rate: The official interest rate set by the Bank of England's Monetary Policy Committee and what is generally termed at the "base rate". This rate is also referred to as the 'repo rate'.
Basis Point: A unit of measure used in finance to describe the percentage change in the value or rate of a financial instrument. One basis point is equivalent to 0.01% (1/100th of a percent). In most cases, it refers to changes in interest rates and bond yields. For example, if interest rates rise by 25 basis points, it means that rates have risen by 0.25% percentage points. If rates were at 2.50%, and rose by 0.25%, or 25 basis points, the new interest rate would be 2.75%.
Bond: A certificate of debt issued by a company, government, or other institution. The bond holder receives interest at a rate stated at the time of issue of the bond. The price of a bond may vary during its life.
Capital Expenditure: Expenditure on the acquisition, creation or enhancement of capital assets.
Capital Financing Requirement (CFR): The Council's underlying need to borrow for capital purposes representing the cumulative capital expenditure of the local authority that has not been financed.

Capital Receipts: Money obtained on the sale of a capital asset.
Credit Rating: Formal opinion by a registered rating agency of a counterparty's future ability to meet its financial liabilities; these are opinions only and not guarantees.
Counterparty List: List of approved financial institutions with which the Council can place investments with.
Debt Management Office (DMO): The DMO is an Executive Agency of Her Majesty's Treasury and provides direct access for local authorities into a government deposit facility known as the DMADF. All deposits are guaranteed by HM Government and therefore have the equivalent of a sovereign triple-A credit rating.
Gilts: Gilts are bonds issued by the UK Government. They take their name from 'gilt-edged'. Being issued by the UK government, they are deemed to be very secure as the investor expects to receive the full face value of the bond to be repaid on maturity.
LIBID: The London Interbank Bid Rate (LIBID) is the rate bid by banks on Eurocurrency deposits (i.e. the rate at which a bank is willing to borrow from other banks).
LIBOR: The London Interbank Offered Rate (LIBOR) is the rate of interest that banks charge to lend money to each other. The British Bankers' Association (BBA) work with a small group of large banks to set the LIBOR rate each day. The wholesale markets allow banks who need money to be more fluid in the marketplace to borrow from those with surplus amounts. The banks with surplus amounts of money are keen to lend so that they can generate interest which it would not otherwise receive.
Maturity: The date when an investment or borrowing is repaid.

Money Market Funds (MMF): Pooled funds which invest in a range of short term assets providing high credit quality and high liquidity.
Minimum Revenue Provision (MRP): An annual provision that the Council is statutorily required to set aside and charge to the Revenue Account for the repayment of debt associated with expenditure incurred on capital assets.
Voluntary Revenue Provision (VRP): An additional contribution over and above the MRP that the Council can choose to make to reduce the CFR which in turn will reduce the MRP for future years.
Non Specified Investment: Investments which fall outside the CLG Guidance for Specified investments (below).
Operational Boundary: This linked directly to the Council's estimates of the CFR and estimates of other day to day cash flow requirements. This indicator is based on the same estimates as the Authorised Limit reflecting the most likely prudent but not worst case scenario but without the additional headroom included within the Authorised Limit.
Prudential Code: Developed by CIPFA and introduced on 01/4/2004 as a professional code of practice to support local authority capital investment planning within a clear, affordable, prudent and sustainable framework and in accordance with good professional practice.
Prudential Indicators: Prudential indicators are a set of financial indicators and limits that are calculated in order to demonstrate that Councils' capital investment plans are affordable, prudent and sustainable. They are outlined in the CIPFA Prudential Code of Practice. They are indicators that must be used to cover the categories of affordability, prudence, capital spending, external debt/borrowing and treasury management. They take the form of limits, ratios or targets which are approved by Council before 1 April

each year and are monitored throughout the year on an on-going basis. A Council may also choose to use additional voluntary indicators.
Public Works Loans Board (PWLB): The PWLB is a statutory body operating within the United Kingdom Debt Management Office, an Executive Agency of HM Treasury. The PWLB's function is to lend money from the National Loans Fund to local authorities and other prescribed bodies, and to collect the repayments.
Revenue Expenditure: Expenditure to meet the continuing cost of delivery of services including salaries and wages, the purchase of materials and capital financing charges.
(Short) Term Deposits: Deposits of cash with terms attached relating to maturity and rate of return (Interest).
Specified Investments: Term used in the CLG Guidance and Welsh Assembly Guidance for Local Authority Investments. Investments that offer high security and high liquidity, in sterling and for no more than one year. UK government, local authorities and bodies that have a high credit rating.
Supported Borrowing: Borrowing for which the costs are supported by the government or third party.
Temporary Borrowing: Borrowing to cover peaks and troughs of cash flow, not to fund capital spending.
Unsupported Borrowing: Borrowing which is self-financed by the local authority. This is also sometimes referred to as Prudential Borrowing.
Yield: The measure of the return on an investment.

Report No: 99/2021
PUBLIC REPORT

CABINET

27 July 2021

SEND - APPROVAL OF EXTENSION OF CONTRACT

Report of the Strategic Director for Children's Services

Strategic Aim:	Creating a brighter future for all.	
Key Decision: Yes	Forward Plan Reference: FP/280521	
Cabinet Member(s) Responsible:	Councillor David Wilby Portfolio Holder for Education and Children's Services	
Contact Officer(s):	Dawn Godfrey Strategic Director for Children's Services	01572 758358 dgodfrey@rutland.gov.uk
	Bernadette Caffrey, Head of Early Intervention, SEND and Inclusion Services	01572 720943 bcaffrey@rutland.gov.uk
	Louise Crookenden-Johnson, SEND Capital Programme Manager	01572 758025 lcrookendenjohnson@rutland.gov.uk
Ward Councillors	All	

DECISION RECOMMENDATIONS
That Cabinet: 1. Authorises RCC in acting as the commissioning organisation, mandated by Schools Forum, to extend the contract for the Education Inclusion Partnership (EIP) co-ordination function and: 2. Approves the move to a direct award of contract.

1 PURPOSE OF THE REPORT

1.1 Rutland's vision is to support all children and young people with Special Educational Needs and or Disabilities (SEND) to lead healthy, independent, and safe lives, to be a County that promotes inclusion, to maximise their opportunities to be independent and focuses on their abilities not their disabilities and wherever possible, have their needs met locally. (Rutland SEND and Inclusion Strategy 2019).

1.2 The context;

- There has been an uplift in Rutland in requests for assessment for Education Health and Care Plans (EHCPs) which is reflective of the national picture and an increasing number of EHCPs. There are currently 252 Education Health and Care Plans (EHCPs) compared with February 2020 when there were 224, a rise of 12.5% in the past year. There are currently 30 children also in the education health and care assessment process
- Analysis shows increased numbers of children, particularly children with 'behaviours that challenge' are escalating out of mainstream schools, and requiring placement in designated special provision, in special schools or in alternative provision other than at school and resulting in increasingly high-cost independent school placements.
- RCC is responding to feedback from Rutland's school's workforce about a need to grow skills and knowledge in inclusionary classroom practice and to get practical help to support children quickly, to help de-escalate situations and meet children's needs in a different way to EHCPs, if appropriate.

2 HIGH NEEDS BUDGET DEFICIT SEND RECOVERY PLAN

2.1 Schools Forum support £357k of additional annual investment from the High Needs Block to implement a range of initiatives aimed at increasing capacity within mainstream schools to support children and young people with SEND, to support them remaining in mainstream education and to succeed in the classroom.

3 RCC GOVERNANCE OF SEND RECOVERY PLAN PROJECTS

3.1 RCC's SEND Programme Board examines the deployment of resources within the SEND Recovery Plan, on behalf of Schools Forum and receives performance information and impact reports. Funding for the SEND Recovery Plan is from the Designated Schools Grant (DSG), a ring-fenced grant that can only be applied to meet expenditure included in the schools' budget, as defined in the School Finance (England) Regulations. The Council administer the grant on behalf of schools/Department for Education (DfE).

3.2 All projects which are developed under the SEND Recovery Plan have a focus on the three priority areas as agreed through the school summit meetings with Head Teachers, (2019):

- Children with SEND should be supported, as far as is possible and appropriate, within the least restrictive education environment close to home.

- High needs funding and support interventions for children with SEND are not appropriately distributed and requires redistribution.

- Additional support and funding are required earlier in the education system with investment in different types of support within and across mainstream schools.

3.3 The SEND Recovery Plan group of ‘key projects’, is designed to bring grip and coherence, to act effectively and early, if a child’s needs escalate, to reduce the inappropriate use and need for Education Health and Care plans for some children.

3.4 This work is particularly important for children with Social, Emotional or Mental Health (SEMH) needs since their needs can be met in mainstream education if they are identified appropriately and interventions proactively put in place to help them.

3.5 If children’s needs are not effectively identified and supported, they can become disengaged from education, fail to flourish in class, and become disenchanted with school. With an effective plan in place to support them, they are less likely to be disruptive in class, be at risk of exclusion from their education and ultimately are less likely to require either an Education Health and Care Plan or require a high-cost education placement or indeed a statutory social care intervention.

3.6 One key area of the SEND Recovery Plan has been to draw resources around schools to give speedy access to help and advice and to provide additional resources to both help meet a child’s immediate escalating needs and also to help model and embed different inclusionary practice with classroom staff. This is always in response to school’s request for assistance and parental consent for any individual case work with a child or young person.

3.7 A range of responses have been developed which sit under the co-ordination of a Primary sector led **Education Inclusion Partnership**, (EIP).

3.8 The contract that provides the co-ordinator function for the Education Inclusion Partnership, (EIP) developments is the lynch pin for the SEND Recovery Plan project work, particularly in priority area three in Point 3.2 above. The current contract for service is with a highly experienced specialist teacher, who has successfully undertaken this process with schools in another local authority area and has become extremely skilled in this delicate and complex partnership work.

3.9 The co-ordinator has used her expertise in Rutland since March 2020 to co-produce the local Education Inclusion Partnership panel processes and paperwork, to design a process and then implement the actions that lead to support; observation of the child in class, assessment of needs with the Special Educational Needs co-ordinator, (SENCo) in school, and provide proposals for suitable interventions which are presented to a sector led Head teachers panel for decision making.

3.10 There is already good feedback from Head teachers that the EIP arrangements are changing practice in the way that was envisaged. There are seemingly fewer cases coming for specific support with an encouraging shift towards whole class support which is more cost and time effective and enables earlier intervention and scope to develop practice opportunities.

3.11 The co-ordinator is critical in marshalling the resources around schools, on behalf of schools, that begin to give them confidence to act differently. When interventions are agreed at the EIP Panel the co-ordinator works with providers to put in place agreed packages of support for children, such as counselling,

psychological interventions, additional specialist tutoring, or play therapy and monitors the agreed budgets and the outcomes for children accordingly.

3.12 The co-ordinator facilitates a monthly ‘providers’ meeting with partners which is designed to problem solve and proactively plan to plug gaps in services across Rutland’s partnership, utilising existing resources and avoiding duplication.

3.13 The co-ordination role is designed to grow confidence with leaders and SENDCos in inclusion practice, and offer expert support based on years of experience about what they can do and how they can find resources to respond to situations speedily.

3.14 Demand for the support from primary schools has increased partly as a result of the Covid pandemic and partly as a result of increasing awareness of the resources available and its impact for children and schools. This work now requires additional co-ordinator time if it is to continue to have effective impact, specifically to deliver the secondary Education Inclusion Partnership offer and work with all early years settings and schools to develop and implement an effective Transitions Framework for Rutland.

3.15 The current contract is purchasing 2 days a week of co-ordinator time, it is proposed to extend this contract to 3.5 days and increase the term of the contract for a further two years, the day rate has also increased in line with other professionals being commissioned as part of the EIP. Schools Forum has allocated a 5-year budget for this work and this spend is monitored and impact reported through Schools Forum.

3.16 There is a positive case to extend the contract given that service is already being delivered, is showing good outcomes, will slowly reduce costs associated with increasing demand, and the schools are happy with the delivery so far. It is unlikely that any one other organisation will be able to deliver all of the functions that the current provider brings within the proposed contract value.

3.17 It is also unlikely that any one other individual will have the range of skills that the contracted co-ordinator exhibits, to quickly grow complex relationships as well as the comprehensive range of specialist teaching expertise that are the foundation of this work.

3.18 There is a risk that a full procurement process could reduce capacity and impact project momentum and is still likely to result in an award to this provider given the specific skill set, experience and other criteria required for successful delivery of this work.

4 FINANCIAL IMPLICATIONS:

4.1 Schools Forum met on 17th June 2021 and affirmed the use of its budgeted SEND Recovery Plan funding, which is from the Dedicated Schools Grant (DSG) - High Needs Fund, (HNF) to extend and increase the contract value and wishes to continue with this current provider. The value of the contract will be £65,000 and be for two years.

4.2 There is sufficient budget available to fund the annual contract.

5 ALTERNATIVE OPTIONS

5.1 RCC would not wish to enter into a direct employment arrangement and incur liabilities for employee status for this post, and the associated risk for the project to be halted if Schools Forum decide not to utilise the budget allocated in this way. This contractual arrangement therefore carries the least risk for RCC.

6 LEGAL AND GOVERNANCE CONSIDERATIONS

6.1 The Commissioning team and Legal and Governance services have been consulted and agree to this course of action, capacity to deliver the direct award has been factored in.

7 DATA PROTECTION IMPLICATIONS

7.1 A Data Protection Impact Assessments (DPIA) has not been completed because there are no risks or issues to the rights and freedoms of natural persons.

8 EQUALITY IMPACT ASSESSMENT

8.1 A full Equality Impact Assessment is not required. The Local Authority has a duty under the Children Act and the SEND Code of Practice to meet the needs of children with additional need or deemed to be children in need.

9 COMMUNITY SAFETY IMPLICATIONS

9.1 There are no community safety implications.

9.2 The LA has a statutory obligation to safeguard vulnerable children at home and in the community, some children with SEND may be supported as Children in Need under Section 17 of the Children Act 1989.

10 HEALTH AND WELLBEING IMPLICATIONS

10.1 There are no health and wellbeing implications associated with direct award of this contract. It is intended through the interventions described above that children will have their SEMH needs identified and responded to early and therefore reduce the risk of them escalating into specialist mental health services such as CAMHS, which are already under increasing pressure to meet assessment and therapy timescales.

11 ORGANISATIONAL IMPLICATIONS

11.1 The Commissioning team and Legal and Governance services have been consulted and agree to this course of action, capacity to deliver the direct award has been factored in.

12 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

12.1 Cabinet, agree to extend the contract for the Education Inclusion Partnership (EIP) co-ordination function, and move to a direct award of contract.

13 BACKGROUND PAPERS

13.1 There are no background papers.

14 APPENDICES

14.1 There are no appendices.

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Report No: 102/2021
PUBLIC REPORT

CABINET

27 July 2021

COVID 19 UPDATE AND APPROACH TO CONTINUED USE OF EMERGENCY POWERS

Report of the Chief Executive

Strategic Aim:	All	
Key Decision: No	Forward Plan Reference: n/a	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr O Hemsley, Leader of the Council and Portfolio Holder for Strategy and Partnerships, Economy and Infrastructure	
Contact Officer(s):	Phillip Horsfield – Deputy Director Corporate Governance (Monitoring Officer)	01572 758154 phorsfield@rutland.gov.uk
Ward Councillors	All	

DECISION RECOMMENDATIONS
That Cabinet: 1. Notes the present position in Rutland in respect of COVID 19 2. Notes the continued applicability of the Civil Emergency Delegation.

1 PURPOSE OF THE REPORT

1.1 At the Cabinet meeting held on the 21st April 2020, it was agreed that Cabinet would keep under review the use of Emergency Powers.

1.2 At the meeting held on 15th September 2020 Cabinet requested continued reports to provide updates on the present COVID position.

2 BACKGROUND AND MAIN CONSIDERATIONS - COVID POSITION

2.1 Further to previous Reports and the Governments Road Map on the 5th July the Prime Minister announced the removal of restrictions on 19th July.

2.2 Subject to Parliamentary approval on the 12th July the following will apply:

- no limits on social contact;
- 1m-plus rule removed (this may remain in medical settings);
- no legal requirements for face coverings (although face coverings will still be advised in hospitals, healthcare settings and enclosed, crowded public spaces);
- nightclubs permitted to reopen;
- capacity caps on businesses will be lifted
- hospitality businesses will no longer be required to provide table service only
- no limits on numbers at weddings and funerals
- no restrictions on communal worship and singing
- no limits on people attending concerts, theatres or sports events
- no legal requirements for COVID certificates for any venue or event

2.3 Guidance on working from home will end and limits on named visitors to care homes will be removed.

2.4 Testing and contact tracing will continue for those with symptoms and people will still be legally required to self-isolate if they test positive.

2.5 At the time of writing further announcements are expected on:

- removing school bubbles and contact-isolation for pupils
- removing the need for fully-vaccinated people to self-isolate on return from "amber list" countries.

2.6 At the time of writing cases in Rutland stand at 188 per 100,000 of Population. There has been a significant impact on the number of cases in the County from within School settings. It should be noted that the national picture is of a significant increase in the number of cases with a doubling of positive cases every 9 days at the time of writing.

2.7 Councillors will see that there have been no decisions using the Emergency Powers in relation to the Pandemic since April of this year. At the time of writing this Report, the Council is finalising its policy on the use of some of its Discretionary Additional Restrictions Grant (for businesses) and this will be recorded on the decision log in due course.

2.8 The Council continues working closely with partners to ensure that we support the delivery of the vaccination programme. Week commencing 5th July the County was pleased to have vaccinated 88% of adults with the first dose of the vaccine and 69% of adults have had the second dose.

2.9 While it would be possible to end the use of the emergency delegation it is not recommended at this stage given the numbers and the fact that Government support through schemes such as furlough and others has not come to an end.

2.10 The Council is also anticipating that there may be amendments required to the Scheme of Delegation resulting from legislation on this issue as it has been suggested that there will be additional local powers to contain outbreaks. This will be the subject of a future report to Cabinet or Council as appropriate.

3 CONSULTATION

3.1 Councillors continue to be updated through the Member briefing.

4 ALTERNATIVE OPTIONS

4.1 The report provides an update on information regarding the actions taken and the Constitutional position.

5 FINANCIAL IMPLICATIONS

5.1 There are no direct financial implications arising from this report.

6 LEGAL AND GOVERNANCE CONSIDERATIONS

6.1 These are contained in the Report.

7 DATA PROTECTION IMPLICATIONS

7.1 None arising from the report.

8 EQUALITY IMPACT ASSESSMENT

8.1 An Equality Impact Questionnaire is not required for this report.

9 COMMUNITY SAFETY IMPLICATIONS

9.1 There are no community safety implications arising from this report.

10 HEALTH AND WELLBEING IMPLICATIONS

10.1 There are no health and wellbeing implications arising from this report.

11 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

11.1 That Cabinet note the current present position in Rutland regarding COVID 19 and the continued use of the Civil Emergency Delegation.

12 BACKGROUND PAPERS

12.1 There are no background papers for the report.

13 APPENDICES

13.1 None

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